IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 28TH MARCH 2007 / 7TH CHAITHRA 1929

WP(C).No. 10689 of 2007(V)

PETITIONER:

THE SECRETARY,
N.S.S.KARAYOGAM, PONEKKARA, EDAPPALLY.

BY ADV. SRI.ASP.KURUP
SRI.SADCHITH.P.KURUP

RESPONDENTS:

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1. THE DISTRICT COLLECTOR,
COLLECTORATE, KAKKANAD, ERNAKULAM.

2. THE TAHSILDAR,
KANAYANNUR TALUK OFFICE, ERNAKULAM.

3. SRI.V.P.VIJI, VELIYATH HOUSE,
PONEKKARA, EDAPPALLY.

4. SRI.K.B.SHAJI,
VELLYIL VEEDU, ELAMAKKARA P.O.

R1, R2 BY GOVT. PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 28/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J.

W.P(C).No.10689 OF 2007

Dated this the 28th day of March, 2007

JUDGMENT

The petitioner challenges the order passed by the Additional Tahsildar, exercising the powers of the Executive Magistrate, under the Code of Criminal Procedure. The impugned Ext.P4 will, therefore, be treated as a provisional order enabling the petitioner to place his objections so that the Tahsildar, exercising the powers of the District Magistrate, will consider the matter and dispose it of finally in accordance with law, after hearing the necessary parties. If any application is pending for measuring out the property, that will be taken up and considered in accordance with law by the competent authority.

The writ petition is disposed of with the above directions.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.